

IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF GEORGIA

SAVANNAH DIVISION

FILED
U.S. DISTRICT COURT
NOV 2 2004
CLERK
B. W. A.

REV. JULIUS S. BAKER, SR.

PLAINTIFF

VS.

EQUITY RESIDENTIAL 3266

MARSH LANDING I, AND

THE APARTMENT MANAGEMENT, LLC

DEFENDANTS

CV 204 - 154

COMPLAINT

PLAINTIFF REV. JULIUS S. BAKER, SR. COMPLAINING OF THE
DEFENANTS ABOVE-NAMED, WOULD RESPECTFULLY SHOW UNTO THE
COURT THE FOLLOWING:

PARTIES

1. THE PLAINTIFF REV. JULIUS S. BAKER, SR. IS A CITIZEN AND
RESIDENT OF THE STATE OF GEORGIA;
2. THE EQUITY RESIDENTIAL 3266, MARSH LANDING I OF REYNOLD
BURG, OHIO IS A COMPANY/CORPORATION/CITIZEN OF THE STATE
OF OHIO AND IS DOING BUSINESS IN THE STATE OF GEORGIA;

3. THE EQUITY APPARTMENT MANAGEMENT, LLC OF PLANO, TEXAS IS AN AFFILIATE OF EQUITY RESIDENTIAL PROPERTIES IN THE STATE OF TEXAS:

JURISDICTION

4. THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF GEORGIA HAS JURISDICTION OVER THIS MATTER BY VIRTUE OF DIVERSITY OF CITIZENSHIP, 28 U.S.C. 1332 (A):

FACTS

5. THE PLAINTIFF SHOWS THAT ON OR ABOUT JULY 9, 2004 THE DEFENDANT EQUITY RESIDENTIAL 3266, MARSH LANDING I AND THEIR EMPLOYEES, AGENTS, REPRESENTATIVES, AND SERVANTS CAUSED PLAINTIFF AND HIS WIFE TO BE WRONGFULLY EVICTED, AND LEFT HOMELESS WITHOUT DUE PROCESS OR EQUAL PROTECTION WITHIN THE JURISDICTION TO THE LAW;
6. THE PRO SE PLAINTIFF ALSO DULY FILED A TIMELY NOTICE OF APPEAL, AND APPEALED THE FINAL EVICTION JUDGEMENT RULING OF THE MAGISTRATE COURT OF GLYNN COUNTY TO THE GEORGIA COURT OF APPEALS, ATLANTA, GEORGIA:
7. FUTHERMORE, PLAINTIFF WAS WRONGFUL DENIED A HEARING AND TRAIL ON THE SAID DEFENDANTS EVICTION COMPLAINT AS REQUIRED BY LAW;
8. THE DEFENDANTS, THEIR EMPLOYEES, AGENTS, REPRESENTATIVES AND SERVANTS KNOWINGLY AND

INTENTIONALLY ACTED IN CONCERT OF BAD FAITH TOGETHER WITH OTHER, AND CONSPIRED TO HAVE PLAINTIFF AND HIS WIFE WRONGFUL EVICTED WITHOUT DUE PROCESS: MOREOVER, THE DEFENDANTS USED DISCRIMINATORY PRACTICES AGAINST HIM:

9. THE SAID DEFENDANTS ILLEGAL ACTS/ACTION AND OMISSION CONSTITUTE THE DEPRIVATION OF PLAINTIFF LEGAL, CIVIL, CONSTITUTIONAL AND HUMAN RIGHTS IN VIOLATION OF THE DUE PROCESS AND EQUAL PROTECTION CLAUSES TO THE 14TH AMENDMENT TO THE CONSTITUTION TO THE UNITED STATES; ALSO THE STATE OF GEORGIA CONSTITUTION;
10. THE DEFENDANT MARSH LANDING APARTMENT EMPLOYEES/AGENT REPRESENTATIVES AT THE BRUNSWICK, GEORGIA WRONGFUL REFUSED TO ACCEPT OR TAKE PLAINTIFF RENT MONTHLY PAYMENT BECAUSE HE WAS LATE OR WOULD NOT ACCEPT LATE FEES AND \$671.00 PAYMENT, AND HAD HIM EVICTED ON OR ABOUT JULY 9, 2004;
11. THE DEFENDANT'S BREACHED THE RENTAL LEASE CONTRACT ON OR ABOUT SAID DATE AND USED FORCED EVICTION ACTION BY AND THROUGH THE GLYNN COUNTY, GEORGIA SHERIFF DEPARTMENT, WHILE THE PRO SE CASE WAS ON APPEAL, WHICH IS STILL PENDING ON DISPOSITION OF FINAL REVIEW;
12. THE DEFENDANT MARSH LANDING APARTMENTS OF BRUNSWICK, GEORGIA AND THEIR EMPLOYEES, AGENT REPRESENTATIVES ON

OR ABOUT OCTOBER 7, 2003 CAUSED PLAINTIFF 1986 CHEVROLET SILVERADO PICKUP TRUCK TO BE STOLEN WITH ALL HIS TOOLS, EQUIPMENT, SUPPLIES AND BUILDING MATERIALS/TRUCK TOOL BOX, OFF THE SAID DEFENDANT PROPERTY, WHILE HE RENTED APARTMENT C 2 UNDER LEASE CONTRACT: THE SAID TRUCK AND PERSONAL PROPERTIES WERE STOLEN, BECAUSE OF THE DEFENDANT WILLFULLY NEGLIGENTLY WITHOUT PROPER SECURITY ON THEIR APARTMENT PROPERTY. ATTACHED IS A COPY OF THE CRIME/INCIDENT POLICE REPORT EXHIBIT "A"

13. THE DEFENDANTS KNOWINGLY AND INTENTIONLY VIOLATED THE UNITED STATES HUD FAIR HOUSING ACT. BY EVICTING HIM AND HIS WIFE ABSENT OF DUE PROCESS.
14. AS A RESULT OF THE DEFENDANTS ILLEGALLY ACTS AND ACTION IN BAD FAITH CAUSED THE PLAINTIFF TO BE HOMELESS, AND DAMAGED, SUFFERED GREAT LOSSES, ALSO OTHERWISE INJURED, HIS GOOD NAME AND REPUTATION DEFAMED/SLANDERED BECAUSE OF THE SAID EVICTION WITHOUT DUE PROCESS OF THE LAW.

WHEREFORE, PLAINTIFF PRAYS JUDGEMENT AGAINST THE DEFENDANTS, JOINTLY AND SEVERALLY, FOR SPECIFIC PERFORMANCE AND/OR MONETARY DAMAGES IN AN *AMOUNT* TO BE MORE SPECIFICALLY PROVEN AT TRIAL, PREJUDMENT INTEREST, COSTS, FEES, AND SUCH OTHER AND FURTHER RELIEF AS THIS HONORABLE COURT MAY DEEM JUST AND PROPER.

RESPECTFULLY SUBMITTED,

Rev. Julius S. Baker, Sr.
REV. JULIUS S. BAKER, SR.

132 MULLIS DRIVE

ALMA, GA 31510

PHONE: (912) 632-6916

DATE: OCTOBER 26, 2004

ALMA, GEORGIA

Incident Report

lynn County Police

Print Date: 10/14/2003 4:17:50PM

Case Id G0312818	Seq #	Type Description THEFT VEHICLE	Report Date 10/07/2003 10:40
Location 3875 DARIEN HWY :@MARSH LANDING APTS		Occured From 10/06/2003 17:45	Occured To 10/07/2003 09:30
District 5			

OFFENSES

OFFENSE	DESCRIPTION	LOCATION TYPE	UCR
2404/16-8-2	Theft of Automobile Theft value \$6000.00	18	07

INVOLVED PARTIES

	DOB	AGE	SEX	RACE	WEIGHT	HEIGHT	HAIR	EYE
COMPLAINANT Baker, Julius Starling 3875 Darien Hwy. Apt 2 C, Brunswick, GA. GA Home #: (912) 262-9404 Bus #: (912) SSN: DLN:		77	M	BLK	188 lbs	5ft 11 in	BLK	BRO
OTHER Jubak Son and Daughter of Allen, 3875 Darien Hwy. Apt. 2 C, Brunswick GA Bus #: (912) 262-9404								

PROPERTY

Item #	Tag	Category	Make	Model	Serial #
Description					
Drug Type	Drug Weight	Quantity	Weapon	Size/Calibre	UCR
Ownership			Recovered:		Seized:
Name:			Evidence:		Counterfeit:
Address:			Stolen:		Burned
Phone:			Found:		Damaged
Recovered/ Seized From			Seizure		
Name:			Location:		
Address:			Officer:		
Phone:			Recovered Date:		

VEHICLES

EXHIBIT A

Vehicle License & State 2537ASZ	Year 1986	Make CHEV	Model C-10	Body PICK	Color BLK	VIN 2GCDC14H0G1221448
Comment				Recovered: N Stolen: Y 6,000.00 Towed by: Towed to:		
Owner & Address Baker, Julius Starling 3875 Darien Hwy. Apt 2 C, Brunswick, GA. GA						

NO

NARRATIVE

Stolen Vehicle Narrative Case# G0312818 POI Jimmie L. Palmer, Jr. October 07, 2003 <p>While on patrol, dispatch advised me to respond to 3875 Darien Hwy., at Marsh Landing Apartments in reference to a stolen vehicle report. I spoke with the complainant a Mr. Julius S. Baker Sr., who stated he found his 1986 Chevrolet Silverado (black with gray and red markings) missing from the parking lot of his residence (Marsh Landing Apt. # 2 C). Mr. Baker stated he locked his vehicle on last date (10-06-2003). Mr. Baker described the vehicle as a 1986 Chevrolet Silverado black in color with gray and red markings, with Ga. Tag #2537 ASZ. Mr. Baker stated that there was not a lean on his vehicle. This incident occurred between the hours of 5:30 pm (10-06-2003) and 9:30 am (10-07-2003).</p> <p>A BOLO was given out to county and city officers in reference to the above described stolen vehicle. A NCIC/GCIC entry was forward to dispatch at 13:15 hours this date. No further information.</p> <p>#214, GCPD.</p>
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SUMMARY

REVIEW STATUS: APPROVED	REVIEWED BY:	DATE: 10/7/2003 1:13:48PM
INVESTIGATOR ASSIGNED:	ASSIGNED DATE:	
DEPT. CASE DISPOSITION: NOINVG	DATE: 10/10/2003 1:25:45PM	
UCR STATUS: OPEN	DATE: 10/7/2003 12:00:00AM	IBR EXEP CLEAR CLASS:
CREATED BY:		
MODIFIED BY: CANDERSON	GCPDRPUTNAM	10/7/2003 1:13 21PM
Reporting Officer 214 Palmer, Jimmie Officer	Reviewed/Approved by 187 Anderson, Wayne (Chip) Sergeant	Date Reviewed/Approved 10/7/2003 1:13:48PM

EXHIBIT A